REMARKS

Claims 1-10, 12-14 and 16-22 are pending. Claims 1-10 and 12-14 have been amended. Claims 11 and 15 have been cancelled without prejudice. Claims 1, 5, 9, 12 and 20-22 are the independent claims.

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, as indefinite. As to the objection to the use of the term audio signal, the claims have been amended to differentiate between a signal and whether the signal is an audio signal or a non-audio signal. It is noted that the non-audio signal is not limited to a "noise" signal and may be, for example, a period of silence.

As to the objection regarding antecedent basis, these objections are moot in view of the amendments. Withdrawal of the Section 112 rejection is respectfully requested.

Claims 1-6 and 9-14 were rejected under 35 U.S.C. § 102(a) over Applicant's admitted prior art, in particular Figure 5. Applicant submits that the amended independent claims are patentable over the cited art for at least the following reasons.

Amended claim 1 is directed to a code conversion method of receiving a first code string to convert the first code string into a second code string, and to output the same. The method includes: a first step of generating a decoded signal from the first code string in accordance with a decoding method; and a second step of judging whether the decoded signal is an audio signal or a non-audio signal by using information contained in the first code string, and encoding the decoded signal in accordance with an encoding method on the basis of the judgment to generate a second code string.

In the prior art system illustrated by Figure 5 first decodes encoded data at an audio decoding device (1A) into decoded data and then, based on the decoded data, judges whether or not the decoded data is noise or not, using the audio detection device (5). Such a design indispensably requires the presence of an audio detection device (5). Thus, the judgment as to whether or not the decoded data is noise in the conventional code conversion device is made based upon an analysis of the decoded data.

On the other hand, in claim 1, the determination as to whether or not the decoded signal is an audio signal or a non-audio signal is made based upon information contained in the first code string, not from the decoded signal itself, thus obviating the need for the extra structure corresponding to the prior art audio detection device (5).

The other amended independent claims are believed patentable for similar reasons.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

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